

Serial No. 10/822,474

REMARKS

Examiner Chukwurah has rejected the originally filed claims 1-5 of the present application. For the reasons which follow, applicant respectfully traverses this rejection of the Examiner. The applicant does, however, wish to extend appreciation to Examiner Chukwurah for the quite detailed review of the claims of the present invention leading to the finding of patentable subject matter of the originally filed claims of the present application and an indication of the allowability of claims 6-14 if rewritten.

Claim 6 has been placed in independent form by incorporating claims 1, 2, 4 and 5 therein. Although claim 3 has not been included, it is respectfully submitted that claim 6 as amended includes the subject matter set forth in the statement of reasons for the indication of potentially allowable subject matter. Thus, claim 6 and the claims which depend therefrom are in condition for allowance. Such favorable action is respectfully requested.

The Examiner has cited the United States patents listed in NOTICE OF REFERENCES CITED as B-D. By the lack of application of these references and others like them within the classes or subclasses searched, the Examiner apparently recognizes the clear patentability of the present invention over any of these references.

Therefore, since the claims of the present application have been shown to include limitations directed to the features of applicant's nail stapler nozzle which are neither shown, described, taught, nor alluded to in any of the references cited by the Examiner, whether those references are taken singly or in any combination, the Examiner is requested to allow claims 3 and 6-14, as amended, of the present application and to pass this application to issue.

Respectfully submitted,

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